



Crl.O.P.No. 1598 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 24.12.2022 for the alleged offence under Man Missing and subsequently it was altered into Sec.147, 148, 120(B), 450, 302, 201 of I.P.C. in Crime No.511 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is wife of deceased person and she is an Government employee. She had illegal contact with A2. A3 is son of petitioner and deceased person. The petitioner along with A2 and A3 said to have planned and killed the deceased person with mercenaries. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner and the deceased got married 23 years back and out of their wedlock, two



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children were born. However, after birth of child, deceased lead wayward life and involved in theft cases and number of criminal cases pending against him. He was also booked under Goondas Act and his name is entered in rowdy list. Due to his illegal activities, the petitioner and her children deserted 15 years back and living separately. Further, the deceased also got 2nd marriage with another woman and living separately, and there was no communication between them till her arrest. Now, all of a sudden, the respondent police foisted a false case against her that she had illicit intimacy with A2 and there was no such relationship between her and A2. The petitioner is discharging her duty as Sub-Inspector of Police, E.O.W.. He would also submit that she is an innocent person and she has not at all committed any offence as alleged by the respondent police and she is no way connected with the said occurrence. He would submit that there is no role of the petitioner in the alleged offence and she has been falsely implicated as accused in this case. He would further submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 24.12.2022. Hence, he prayed to grant bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 10 accused involved in this case and the petitioner is arrayed as A1. He would submit that all the accused were arrested, however, A8 is still absconding. He would further submit that as she is having illicit intimacy with A2, she planned to kill her husband. He would also submit that the investigation is in preliminary stage and if he is released on bail, he would tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner and also the fact that all the accused are arrested, however, A8 is still absconding and also considering the fact that if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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